



Defendant denies that it violated Title VII of the Civil Rights Act of 1964.

**d. State the major legal and factual issues in the case.**

- Whether the work environment was objectively and subjectively offensive;
- Whether the harassment complained of was based on gender;
- Whether the conduct was either severe or pervasive;
- Whether Plaintiff participated in protected activity;
- Whether there was a materially adverse action taken by the employer;
- Whether there is a causal connection between the protected activity and the materially adverse action;
- Whether Plaintiff made a report of alleged sexual harassment to Defendant in 2019;
- Whether Defendant exercised reasonable care to prevent and promptly correct any sexually harassing behavior; and
- Whether Plaintiff unreasonably failed to take advantage of any preventative or corrective opportunities provided by Defendant or to avoid harm otherwise.

**e. Describe the relief sought by the plaintiff (and counter-claimant).**

Plaintiff seeks the following relief pursuant to her claims against the Defendant: Back pay and benefits, interest on back pay and benefits, front pay and benefits, compensatory damages for emotional pain and suffering, pre and post-judgement interest, injunctive relief, liquidated damages, punitive damages, reasonable attorney's fees and costs, and any other relief this Court may deem just and equitable.

**2. Pending Motions and Case Plan**

**a. Identify all pending motions.**

None at this time.

**b. Proposed Discovery Plan:**

**i. General type of discovery needed:** The Parties anticipate the need for written and oral fact discovery. The Parties are uncertain as to whether expert discovery will be required at this time based upon the early stage of this litigation.

**ii. Date for Rule 26(a)(1) disclosures:** April 7, 2023

**iii. Date to issue the first-set of written discovery requests:** April 21, 2023

iv. **Fact discovery completion date:** October 20, 2023

v. **If there will be expert discovery, an expert discovery completion date, including dates for the deliver of expert reports (or summaries of non-retained expert discovery):** The parties do not anticipate expert discovery at this time.

vi. **Date for the filing of dispositive motions:** January 17, 2024

c. **State whether a jury trial is requested and the probable length of trial.**

Plaintiff demands a jury trial. The parties expect a 5 day trial.

3. **Consent to Proceed Before a Magistrate Judge**

a. **State whether the parties consent unanimously to proceed before a Magistrate Judge for all purposes, including entry of final judgment.**

The parties do not consent to proceed before a Magistrate Judge.

4. **Status of Settlement Discussions**

a. **State whether any settlement discussions have occurred:**

Settlement discussions were initiated with Plaintiff's initial demand on March 21, 2023.

b. **Describe the status of any settlement discussions:**

Plaintiff has not yet received a response to her initial demand.

c. **Whether the parties request a settlement conference.**

At this time, the parties do not request a settlement conference.

**/s/Nathan C. Volheim, Esq.**

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***Attorneys for Defendant***

**CERTIFICATE OF SERVICE**

I, the undersigned, state that I caused copies of the foregoing to be served by **electronic delivery through the ECF/CM system** on March 24, 2023.

**s/Nathan C. Volheim, Esq.**  
**Nathan C. Volheim, Esq.**